

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

_____	)	
IN RE: NEW ENGLAND COMPOUNDING	)	
PHARMACY, INC. PRODUCTS LIABILITY	)	
LITIGATION	)	MDL No.: 1:13-md-2419-FDS
	)	
This Document Relates to:	)	
All Cases	)	
_____	)	
IN RE: NEW ENGLAND COMPOUNDING	)	
PHARMACY CASES	)	Master Docket No. 1:12-cv-12052 - FDS
	)	
This Document Relates to:	)	
All Cases	)	
_____	)	

**ASSENTED-TO MOTION TO EXTEND TIME TO RESPOND TO MOTION FOR  
MANDATORY ABSTENTION UNDER 28 U.S.C. § 1334(c)(2)  
ON BEHALF OF ROANOKE, VIRGINIA STATE COURT  
PLAINTIFFS IN CASES NOT NAMING NECC AS A DEFENDANT**

Paul D. Moore, in his capacity as Chapter 11 Trustee of the Defendant New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center (“Trustee”), files this Assented-to Motion for Extension of Time to respond to the Motion for Mandatory Abstention Under 28 U.S.C. § 1334(c)(2) on Behalf of Roanoke, Virginia State Court Plaintiffs in Cases Not Naming NECC as a Defendant [D.E. 209 in Case No. 1:12-cv-12052-FDS] (the “Motion for Mandatory Abstention”). Specifically, the parties have agreed to extend the time in which Trustee and Official Committee of Unsecured Creditors (the “Committee”) may respond to the Motion for Mandatory Abstention to and including April 16, 2013, or such later date that this Court designates as the due date for any replies to objections to the Trustee’s Motion to Transfer [D.E. 37].

As grounds for this motion, the Trustee states that the additional time will enable the Trustee and the Committee to evaluate and appropriately respond to the Motion for Mandatory Abstention and will further align this matter with the due date for a reply brief on the Trustee's Motion to Transfer in keeping with the Court's desire for coordinated briefing in these actions.

WHEREFORE, the Trustee respectfully requests that the Court grant its Assented-to Motion for Extension of Time to Respond to the Motion for Mandatory Abstention by extending the time in which the Trustee and the Committee may respond to the Motion for Mandatory Abstention to and including April 16, 2013, or such later date that this Court designates as the due date for any replies to objections to the Trustee's Motion to Transfer .

**CERTIFICATE PURSUANT TO LOCAL RULE 7.1(A)(2)**

The undersigned hereby certifies that counsel for the movants conferred with counsel for the Roanoke, Virginia State Court Plaintiffs (*i.e.*, the Gentry Locke Plaintiffs), who assented to this motion.

Dated: March 28, 2013

Respectfully submitted,

DUANE MORRIS LLP

/s/ Michael R. Gottfried  
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Counsel for PAUL D. MOORE, in his capacity as Chapter 11 Trustee of the Defendant New England Compounding Pharmacy, Inc., d/b/a New England Compounding Center

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing document, filed through the ECF system, will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as unregistered participants on March 28, 2013.

/s/ Michael R. Gottfried

Michael R. Gottfried